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Identical letters dated 10 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Mali to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a document concerning the state of implementation of the Agreement on Peace and Reconciliation in Mali emanating from the Algiers process, signed at Bamako on 15 May 2015 and finalized on 20 June 2015.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Dianguina dit Yaya **Doucouré**
Chargé d'affaires a.i.

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Annex to the identical letters dated 10 June 2016 from the Chargé d'affaires a.i. of the Permanent Mission of Mali to the United Nations addressed to the Secretary-General and the President of the Security Council

Memorandum from the Government of Mali on the implementation of the Agreement on Peace and Reconciliation in Mali emanating from the Algiers process, signed at Bamako on 15 May 2015 and 20 June 2015

I. Introduction

The implementation of the Agreement on Peace and Reconciliation in Mali emanating from the Algiers process, signed at Bamako on 15 May 2015 and finalized on 20 June 2015, is proceeding in accordance with the action plan in effect. While progress has been made, certain challenges remain, largely due to the insecurity of current conditions.

II. Progress in carrying out the action plan for implementing the Agreement

The following are the salient points in the implementation of the Agreement.

1. Political and institutional reforms

- Appointment and installation of governors of the new regions of Taoudenny and Ménaka; delegated project management agreements were signed on 13 May 2016 between the governors of Taoudenny and Ménaka and the respective managing directors of Agetier, in the amount of 1 billion CFA francs, and Agetipe, for approximately 800 million CFA francs, for infrastructure repair, construction and outfitting by the general administration (governorates, residences and lodgings, annex buildings, etc.).
- Promulgation of Law 2016-013 of 10 May 2016, establishing provisional authorities following the modification of the Local Government Code, and the adoption of Decree 2016-0332/P-RM of 18 May 2016, setting out the arrangements for the implementation of those authorities, which should accelerate the process of implementing the Agreement. The ministry in charge of decentralization is currently in the process of finalizing other documents connected with the establishment of provisional authorities in the northern regions of Mali (drafts of joint ministerial decisions, methodological guidelines, circular letters, field mission timetables etc.).
- Initiation of the process of revising the Constitution, through the establishment of a reviewing group and the preparation of a work timetable, especially for dealing with the provisions of the Agreement concerning the establishment of a second chamber of Parliament (the Senate).
- Establishment by the Government of a committee to review the electoral law, with copies of the draft electoral law having already been sent to the Plateforme and the Coordination of Movements of Azawad for their views.

2. Defence and security

- Creation of an institutional framework for security-sector reform, with the appointment of a commissioner for such reform as the well as the on-going review of the decree creating the National Council for Security-Sector Reform, a task that was carried out with the participation of representatives of the Coordination of Movements of Azawad and the Plateforme, in conformity with the Agreement. A National Commission for Disarmament, Demobilization and Reintegration and an Integration Commission have also been set up under Decrees 0894 and 0895 /P-RM of 31 December 2015 respectively.
- Assumption of responsibility by the Government for combatants of the signatory Movements, pending initiation of the disarmament, demobilization and reintegration process proper.
- Selection of 24 sites to be prepared by the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and commencement of construction of three sites (Likrakar, Fafa, and Inegar), and an agreement to build five other supplementary sites.
- Implementation of the first mixed patrol (Malian armed forces, Plateforme, and Coordination).
- Submission of partial lists of ex-combatants of the Movements signatories of the Agreement, for the purposes of constituting the first units of the Operational Coordination Mechanism, pre-cantonment and the disarmament, demobilization and reintegration.

3. Economic, social and cultural development

- Undertaking development actions on the ground where security conditions permit, mainly through existing sectoral projects and programmes.
- Emplacement and installation of regional development agencies in all regions and the Bamako District, with budgetary funding during fiscal 2016.
- Organization of the Paris Conference of 22 October 2015 to mobilize the funding needed for implementation of the Agreement (with 3.2 billion Euros in pledges made).
- Commissioning of a Joint Evaluation Mission in northern Mali. The final report of the Mission was filed in April 2016.
- Drafting of a specific development strategy for the northern regions of Mali; the first draft is now available, and the Government foresees the deployment of restitution missions on the ground prior to filing the finalized and validated document with the Monitoring Committee of the Agreement.
- Establishment, at the level of the Ministry of Economy and Finance, of a team responsible for defining the financial structure of the sustainable development fund for the northern regions of Mali, backed at the outset by 300 billion CFA francs (approximately 457 million Euros) for the 2016-2016 period, to be viewed as a "peace effort" on the part of the Malian Government.
- A substantial increase in the 2016 budget for implementing the Agreement, totalling 16.4 billion CFA francs, as opposed to 12.2 billion in 2015.

- Dialogue between the Government and lenders, held on 24 and 25 March 2016, on infrastructure financing for opening up the northern regions of Mali, with the African Development Bank as lead partner (10 projects submitted, of which five involve roads and five involve airfields).

4. Justice, national reconciliation and humanitarian issues

- Restoration of basic social services in the northern regions, in cooperation with the Plateforme and the Coordination; missions to crisis-affected areas to assess ways to reopen classes for the 2015-2016 school year, especially at Kidal; and restoration of electricity to the town of Kidal through the acquisition and operation of a generator, backed up by the distribution of more than 100 solar kits for lighting social-services centres (schools, health centres, mosques and other public places) in the region.

- Drafting and implementation of a strategy and action plan for the return of refugees and persons displaced within Mali; joint Government and signatory Movement missions have been organized for refugees in Niger and Burkina Faso during the month of May 2016.

- Signing of tripartite agreements among Mali, the United Nations High Commissioner for Refugees and Niger, on the one hand, and among Mali, the High Commissioner and Burkina Faso, on the other. Negotiations with Mauritania in this regard are also under way.

- Preparation of four sites urgently needed for placement of refugees to improve conditions for their return to regions affected by the crisis.

- Updating, with the participation of the signatory Movements and other actors, of the emergency relief plan during the interim period 2016-2017, with costs totalling 222.118 billion CFA francs, of which 6.158 billion will be sought from technical and financial partners. The plan covers the sectors of education, health and hygiene, displaced persons and refugees, food security, hydraulics, and energy. The plan has been transmitted to the presidency of the mediation process on 18 May 2016 and to the signatory Movements on 6 June 2016.

- Effective commencement of the work of the Truth, Justice and Reconciliation Commission: to enhance its inclusive character and increase the representation of the signatory Movements as well, the Government has adopted amendments increasing the Commission's membership from 15 to 25, with the ten supplementary Commissioners having been appointed by the Council of Ministers on 18 May 2016.

- Adoption by the Government of a regulatory decree for the law on indemnification of victims of the events of 2012.

- Preparations for the National Reconciliation Conference: the Government has prepared a preliminary draft terms of reference, and the Conference is planned for December 2016.

- Referral to the United Nations Human Rights Council, by letter on 1 July 2014, of a proposal for the creation of an international commission of enquiry (response from the United Nations is still awaited).

- Preparation of a preliminary draft policy document on transitional justice, accompanied by an action plan.

- Preparation of a national plan for implementation of Security Council resolution 1325 (2000), allowing the development of strategies for combating gender-based violence and for participating in the implementation of the Agreement.

Nevertheless, implementation of the Agreement is subject to certain difficulties and constraints.

III. Challenges and opportunities

1. Challenges for the implementation of the Agreement

Implementation of the Agreement is continuing, and constitutes one of the first priorities of the Malian Government. However, certain challenges persist and should be brought to the attention of the various actors and partners. These include:

- Persistence of insecurity, which hinders development in the north of the country especially;

- Non-availability of full financing needed for completion of projects and programmes planned under annex 3 of the Agreement;

- Complexity of procedures for implementation of certain measures and for disbursement of financing already acquired;

- Delays in the process of disarmament, demobilization and reintegration and the mobilization of mixed patrols under the framework of the Operational Coordination Mechanism, owing to the lack of the 600 troops who would make up the initial units of the Mechanism. Nevertheless, the decisions taken by the Defence and Security Sub-Committee offer some grounds for optimism, as that body was the only one able to meet on 1 June at the Bamako International Conference Centre, where it firmly resolved to put in place the mechanisms and instruments of the Agreement with regard to defence and security (the Operational Coordination Mechanism, mixed patrols, cantonment) and to proceed progressively in operationalizing them (see the summary of conclusions of the Defence and Security Sub-Committee).

2. Opportunities

- Launching a strong campaign of communication about the Agreement and its implementation, to mark the first anniversary of its signature.

- Networking and working meetings with ministerial departments at the secretaries-general level.

- Restoration of the Consortium for Economic and Social Research, with the creation of a security post to serve as headquarters for the permanent secretariat of the National Committee for Coordinating the Implementation of the Agreement, the Monitoring Committee of the Agreement, and the Movements that have signed the Agreement.

- Upcoming installation of interim authorities, with priority given to those in the northern regions of Mali.

- Implementation of the Operational Coordination Mechanism, with the effective participation of the signatory Movements in the various activities to be organized.

IV. Conclusion

Implementation of the Agreement is proceeding, but not without some challenges and delays. Moreover, there appears to be a need for the Government to speed the pace of implementation of the Agreement for Peace and Reconciliation in Mali emanating from the Algiers process, in its various aspects.

The threat posed by terrorism and drug trafficking constitutes a major risk for the efforts to implement the Agreement. To that end, the partners (Barkhane and MINUSMA) must coordinate better with the Malian armed forces and the signatory Movements in order to act together and do so effectively.

The mandate and rules of engagement of MINUSMA should be adapted to the new security situation. To that end, the consultations currently under way in the Security Council should enable the achievement of a salutary consensus on the new posture of MINUSMA in northern Mali, in the face of the terrorist menace that continues to overshadow the Sahelo-Saharan region.

The efforts undertaken by the Government of Mali, under the leadership of President Ibrahim Boubacar Keita, towards the integral and effective application of the Agreement, have been recognized in the report of the Secretary-General of the United Nations and at the forty-ninth Ordinary Summit of the Authority of Economic Community of West African States Heads of State and Government, held at Dakar on 4 and 5 June 2016.

Bamako, 10 June 2016